Reception Room

COTTON CHATS
TRADE-MARK REG U.S. PAT. OFF.
DRAPER CORPORATION
HOPEDALE MASS.

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RECENT DECISION IN PATENT INFRINGEMENT SUIT

In the long pending litigation against The Stafford Company, defendant, on the Coldwell-Gildard Warp Stop Motion patent, a decision was rendered by Judge Brown of the United States Court on October 29th, which contains statements of general interest.

After this patent had been twice held to be valid and infringed, both by Judge Brown and by the Court of Appeals for the First Circuit, the suit went on to an accounting of profits and damages.

Defendant recently made two motions which were the subject of Judge Brown's opinion.

By one motion defendant asked that a certain interpretation be given to the claim of the patent. In rejecting this interpretation Judge Brown said of defendant's argument:—

> **"Furthermore, the contention is inconsistent with the rule that of two meanings that which supports the invention will be preferred to that which leads to an absurdity, or to a limitation inconsistent with the true nature of the invention."**

The Court further quoted a statement of Judge Colt, as follows:—

> **"The claims of a patent are to be fairly construed, so as to cover, if possible, the invention, and thus save it, especially if it be a meritorious one."**

Defendant's second motion was "that the Master be instructed to exclude acts of contributory infringement in the accounting." Defendant's contention was in substance that if defendant had furnished drop-bars and other members of a warp-stop motion to the mills with the knowledge and intention that they should be so combined as to infringe the patent, the defendant could not be held liable for such "contributory infringement" in these accounting proceedings. The Court held:—

> **"It is competent for the Master to proceed to take testimony as to any acts of infringement. The decree authorizes the Master to find the damages for infringement, which includes infringement in all its forms, varieties and modes."**

Therefore, the Court denied both motions of The Stafford Company.

The decision is of interest, both to those who own patents and to those who infringe the rights granted under patents.

HOPEDALE LEADS ALL NEW ENGLAND IN SALES OF WAR SAVINGS STAMPS

Boston, Oct. 29.—The New England division War Savings Stamps Headquarters announces: The little town of Hopedale leads all the other cities and towns in New England in the total per capita sales of thrift stamps, war savings stamps and treasury savings certificates to date.

Hopedale's total sale of these government securities amounts to $17,439.32, a per capita sale of $6.55. This town also led the other cities and towns of New England in the sale of these securities for the month of September, according to the latest reports received from Mrs. C. R. Burlingame, statistical director, savings division, first Federal reserve district. The per capita sales during this period amounted to .91.

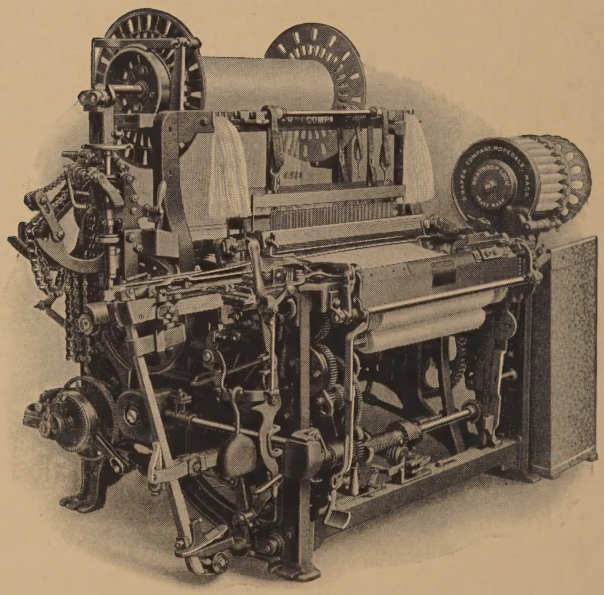
Mrs. F. L. Higginson, director of division, first Federal reserve district, is much elated over the showing made by the little town. She states that if the other cities and towns in New England would push the sales of thrift stamps, war savings stamps and treasury savings certificates as Hopedale is doing, New England would lead by a wide margin all the other districts in the country in the total sale of these government securities.

She also brings out the fact that this

action on the part of the other cities and towns would do much to reduce the high cost of living, because if people would practice thrift and lessen their demand for unneeded high-priced articles, the high cost of living would be dealt a severe blow in this district.

We quote the above item from a recent number of the Milford, Mass., Daily News.

WE ARE PROUD OF HOPEDALE'S RECORD



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